

005092.00069

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David Strand

Confirmation No.: 7128

Application No.: 10/516,599

Group Art Unit: Not Yet Assigned

Filed:

Examiner: Not Yet Assigned

Title: Device and Method for Ultrasonically Manipulating Fluid-Borne Particles

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**CERTIFICATE OF EXPRESS MAIL****Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:


"Express Mail" Label No.: **EV 515644500 US**Date of Deposit: **June 24, 2005**

I hereby state that the following:

Copy of Notification of Missing Requirements Under 35 U.S.C. 371 (2 pgs.);  
Copy of Executed Declaration (4 Pgs);  
Petition for One Month Extension Of Time (1 pg.);  
Fee Transmittal for FY 2005 (1 pg.)(Duplicate); and  
A Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2213-1450.

Michelle DeFalco

**Signature of person mailing paper or fee**

10/516599

Rec'd PGT/PTO

24 JUN 2005

PTO/SB/17 (12-04v2)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL  
for FY 2005**

Complete If Known

Application Number	10/516,599
Filing Date	12/03/04
First Named Inventor	David Strand
Examiner Name	Not Yet Assigned
Confirmation Number	7128
Attorney Docket No.	005092.00069

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 125.00

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES****FILING FEES****Small Entity****SEARCH FEES****Small Entity****EXAMINATION FEES****Small Entity**

Application Type	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description****Fee (\$)**

Each claim over 20 (including Reissues)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

**Total Claims** **Extra Claims** **Fee(\$)** **Fee Paid (\$)****Multiple Dependent Claims**

\_\_\_\_\_ - 20 or HP= \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

**Fee (\$)** **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** **Extra Claims** **Fee(\$)** **Fee Paid (\$)**

\_\_\_\_\_ - 3 or HP= \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x		

**4. OTHER FEE(S)****Fees Paid (\$)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Late oath or declaration Surcharge 37 CFR 1.492(e) and 1 Month Extension

125.00

**SUBMITTED BY**

Signature

Registration No.  
(Attorney/Agent)

29,411

Telephone (617) 720-9600

Name (Print/Type)

Peter D. McDermott

Date June 24, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Rec'd PCT/PTO

24 JUN 2005

PDM#

PCT



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,599	David Strand	005092.00069
INTERNATIONAL APPLICATION NO.		
PCT/US03/17274		
I.A. FILING DATE		PRIORITY DATE
06/03/2003		06/04/2002
CONFIRMATION NO. 7128		
371 FORMALITIES LETTER		
*OC000000015578632*		

22910  
BANNER & WITCOFF, LTD.  
28 STATE STREET  
28th FLOOR  
BOSTON, MA 02109-9601

Docketed 4/4/05  
Attny PDM  
Case Ref. 005092.00069  
Action Missing Reg. due  
Due Date 5/28/05  
Last Day 10/28/05  
By JS

Date Mailed: 03/28/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/03/2004
- Copy of the International Search Report filed on 12/03/2004
- Preliminary Amendments filed on 12/03/2004
- U.S. Basic National Fees filed on 12/03/2004
- Priority Documents filed on 12/03/2004

RECEIVED

APR 01 2005

BANNER & WITCOFF  
BOSTON

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration. Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,599	PCT/US03/17274	005092.00069